

## **APPENDIX A**

### **Protocol for Efforts to Ensure Timely Receipt by the ADMH Commissioner of Circuit Court Orders for Outpatient Mental Evaluations, Inpatient Mental Evaluations, and Competency Restoration Treatment**

1. The ADMH Commissioner will, within six (6) months of Final Approval of this Agreement, provide to all circuit judges and circuit court clerks within the State of Alabama a letter stating (1) the deadlines established by this Agreement; (2) the importance of promptly transmitting orders to ADMH; and (3) contact information, including a fax number and email address, for transmission of orders to ADMH, and a phone number for confirmation of receipt and otherwise for contact by court personnel regarding individuals to receive evaluation or treatment pursuant to such orders. The letter shall substantially conform to Exhibit A1 to this Agreement and include as an attachment an information sheet on at least poster quality paper suitable for posting in the clerk's office. The attachment shall substantially conform to Exhibit A2 to this Agreement. The letter and attachment will be sent annually until the termination of this Agreement.

2. The ADMH Commissioner shall, once each calendar quarter, send an electronic mail message to the Presiding Judge of each Alabama Circuit Court and to the Clerk of Court for each Alabama Circuit Court reminding both of (1) the importance of timely transmission of any order directing the ADMH Commissioner, by and through ADMH, to provide an Outpatient Mental Evaluation to any person charged with a crime in Alabama and/or committing any person charged with a crime in Alabama to the custody of ADMH for an Inpatient Mental Evaluation or Competency Restoration Treatment; and (2) the name and contact information for the person designated by the ADMH Commissioner to receive such orders; and attaching thereto a form order for the direction of ADMH's provision of an Outpatient Mental Evaluation to a person charged with a crime in Alabama and/or the commitment of any person charged with a crime in Alabama

to the custody of ADMH for an Inpatient Mental Evaluation or Competency Restoration Treatment.

## EXHIBIT A1.1

[DATE]

[RECIPIENT]  
[ADDRESS]

**Re: Orders for Outpatient Mental Evaluations, Inpatient Mental Evaluations, and Competency Restoration Treatment of Persons by the Alabama Department of Mental Health**

Dear [RECIPIENT]:

Pursuant to the Settlement Agreement entered into in the matter of *Hunter, et al. v. Perdue*, Case No. 2:16-cv-798 (M.D. Ala.), the Alabama Department of Mental Health (ADMH) must provide outpatient mental evaluations, inpatient mental evaluations, and competency restoration treatment ordered by Alabama's circuit courts within 30 days of ADMH's receipt of courts' orders directing same. In order for ADMH to timely provide mental evaluations and competency restoration treatment in accordance with the orders of Alabama's circuit courts, it is important that any order for a mental evaluation or otherwise committing a defendant to the custody of ADMH for an inpatient evaluation or competency restoration treatment be provided to ADMH as soon as possible following its issuance.

Orders directing that ADMH provide any defendant a mental evaluation or competency restoration treatment to any persons should be sent to [IDENTIFY CONTACT PERSON] by email at [EMAIL ADDRESS] or by fax to [FAX NUMBER]. [CONTACT PERSON] may be reached by telephone to confirm receipt of any order at [PHONE NUMBER].

For your convenience, enclosed is a reference page containing the ADMH contact information for transmission of orders for mental evaluations and competency restoration treatment. We respectfully request that you post this reference page in the Clerk's Office as a reminder of the need to promptly transmit orders to ADMH and to facilitate their transmission.

If you have any questions concerning the transmission of orders for mental evaluations or competency restoration treatment to ADMH, please contact [CONTACT PERSON].

Sincerely,

[SENDER]

Enclosure

## EXHIBIT A1.2

[DATE]

[RECIPIENT]  
[ADDRESS]

**Re: Orders for Outpatient Mental Evaluations, Inpatient Mental Evaluations, and Competency Restoration Treatment of Persons by the Alabama Department of Mental Health**

Dear [RECIPIENT]:

Pursuant to the Settlement Agreement entered into in the matter of *Hunter, et al. v. Perdue*, Case No. 2:16-cv-798 (M.D. Ala.), the Alabama Department of Mental Health (ADMH) must provide outpatient mental evaluations, inpatient mental evaluations, and competency restoration treatment ordered by Alabama's circuit courts within 45 days of ADMH's receipt of courts' orders directing same. In order for ADMH to timely provide mental evaluations and competency restoration treatment in accordance with the orders of Alabama's circuit courts, it is important that any order for a mental evaluation or otherwise committing a defendant to the custody of ADMH for an inpatient evaluation or competency restoration treatment be provided to ADMH as soon as possible following its issuance.

Orders directing that ADMH provide any defendant a mental evaluation or competency restoration treatment to any persons should be sent to [IDENTIFY CONTACT PERSON] by email at [EMAIL ADDRESS] or by fax to [FAX NUMBER]. [CONTACT PERSON] may be reached by telephone to confirm receipt of any order at [PHONE NUMBER].

For your convenience, enclosed is a reference page containing the ADMH contact information for transmission of orders for mental evaluations and competency restoration treatment. We respectfully request that you post this reference page in the Clerk's Office as a reminder of the need to promptly transmit orders to ADMH and to facilitate their transmission.

If you have any questions concerning the transmission of orders for mental evaluations or competency restoration treatment to ADMH, please contact [CONTACT PERSON].

Sincerely,

[SENDER]

Enclosure

**EXHIBIT A2**

**PLEASE TRANSMIT  
ORDERS FOR MENTAL EVALUATIONS OR  
COMPETENCY RESTORATION TREATMENT  
TO ADMH PROMPTLY FOLLOWING ISSUANCE**

ADMH Contact	[INSERT]
Email	[INSERT]
Fax No.	[INSERT]
Telephone No.	[INSERT]

Please contact [CONTACT] with any questions concerning transmission of orders directing ADMH to provide a mental evaluation or competency restoration treatment to any criminal defendant at [TELEPHONE NO] or [EMAIL].